

#9 Election/Res.

New Attorney Docket No. 21845.00

Old Attorney Docket No. 1750.015000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE PATENT APPLICATION OF:

APPLICANT : DAVID SHIMKO et al.

SERIAL NO : 09/294,898

ART UNIT: 3624

FILED : APRIL 20, 1999

EXAMINER: R.C.

WEISBERGER

FOR : SYSTEM, METHOD, AND COMPUTER PROGRAM PRODUCT
FOR COLLATERAL MANAGEMENT OPERATIONS

BOX RESPONSE
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

RESPONSE TO ELECTION REQUIREMENT

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Sir:

This communication is responsive to the Office Action dated April 29, 2002. The period set for responding to this action expired on May 29, 2002.

Submitted with the present response is a Petition for the Extension of Time for five (5) months, thereby increasing the time for responding to the outstanding Office Action to October 29, 2002.



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A new Power of Attorney and an appointment of associate practitioners will be submitted in due course.

In the aforementioned Office Action, the Examiner required an election of species under 35 U.S.C. § 121 after examination on the merits of the entire application. The patentably distinct species have been identified by the Examiner as follows:

Group I - Claims 1-11 and 24; and

Group II - Claims 12-23, 25 and 26

In compliance with the Examiner's requirement, Applicant provisionally elects with traverse for further prosecution the embodiment defined by Claims 1-11 and 24 (designated as the "Group I" species. As best understood, Claims 1-11 and 24 as grouped by the Examiner are considered to be readable on the elected species.

Notwithstanding the propriety of the election requirement for examination purposes, it should be pointed out that Applicants should be entitled to a consideration of a reasonable number of illustrative embodiments falling within the scope of a generic inventive concept. We note that the preambles of independent method Claims 1 and 12 are identical and both sets of claims share significant steps in common. Moreover, it would appear that a search and examination of the entire application can be conducted without a serious burden on the Examiner since the multiple embodiments as identified of record would seemingly encompass a common field of search. It should further be noted that in the

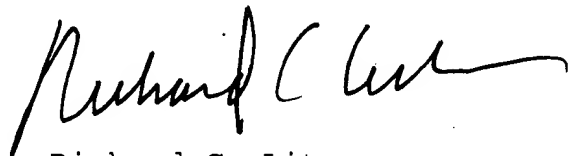
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Office action dated July 6, 2001, the Examiner acted on the merits of all the claimed embodiments.

Accordingly, it is respectfully requested that the Examiner withdraw the election requirement and reply to Applicants' response of October 9, 2001. Alternatively, should the Examiner maintain the requirement, Applicants await a complete action on the merits of the elected subject matter.

Respectfully submitted,



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RCL:DHT